

REMARKS

Claims 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, and 77-110 are pending in the application. An Office Action mailed February 9, 2005, rejected Claims 43, 65, 91, 102, 107, and 109-110 under 35 U.S.C. § 112, second paragraph; rejected Claims 15, 17, 19, 21, 23, 25, 27, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 69, 71, 73, 77-83, 95, 97-98, and 104-107 as being anticipated by Emens under 35 U.S.C. §102; rejected Claims 29, 45, 47, 49, 53, 59, 61, 85, 92-94, 96, and 99-100 as being unpatentable over Emens in view of Cullis under 35 U.S.C. §103; rejected Claims 63, 67, 101, 103, 108, and 110 as being unpatentable over Emens in view of Cragun under 35 U.S.C. §103; rejected Claims 65, 102, and 109 as being unpatentable over Emens in view of Bezos under 35 U.S.C. 103; and withdrew the allowability of Claims 44, 64, 66, and 68. By way of this Amendment, Applicant hereby amends Claims 43, 51, 65, 91, 95, 100, 102, 107-110 and cancels Claims 45, 47, 49, 59 and 99. Pursuant to 37 CFR §1.111, Applicants hereby respectfully requests reconsideration of the application.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, ¶2

The Office Action rejected Claims 43, 65, 91, 102, 107, and 109-110 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants hereby amend Claims 43, 65, 91, 102, 107, and 109-110 and submit that the amended claims are definite and particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

The Office Action rejected Claims 15, 17, 19, 21, 23, 25, 27, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 69, 71, 73, 77-83, 85-91, 93-95, 97-98, and 104-107 as being anticipated by Emens. The Office Action states that Emens teaches a program which assembles data relating to objects on two or more source sites where such data is gathered from a file that is not part of any of the objects and the file contains data entered by at least one of the objects. Applicants respectfully traverse this rejection.

Emens teaches a program which provides a detailed rating system that stores ratings by the author or content provider in a specific format with a documents meta-information. Current web browsers can extract the ratings and compare them with user-specified content levels to

25315
CUSTOMER NUMBER

- 16 -

ARCE-I-1005ROA03

BLACK LOWE & GRAHAM PLLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

determine whether or not to display the document (col. 1; lines 42-47). Emens fails to disclose or teach meta-data which includes all information about the contents of an object but not the contents itself (page 4, lines 16-17). Emens does not teach meta-data which includes information that has been extracted from the content and is associated with the object, any header information within the object and any file system information stored outside of the object such as directory entries (page 4, lines 18-20).

Applicants submit that Emens fails to teach or suggest a method of constructing a catalog of ratings from objects stored within a network including a plurality of interconnected computers; the method comprising running on the cataloging site, a program which assembles data relating to objects stored on two or more source sites, where the term ‘object’ as used by the Applicant, refers only to anything stored on a site of interest to a person who might access the site from the network and its associated meta-data. The term “object” is not used more broadly in the Applicants’ invention (page 4, lines 21-23).

Therefore, Applicants submit that independent Claim 15 is allowable over the cited reference. Because independent Claims 27 and 51 are similar to independent Claim 15, they are allowable for the same reasons that make Claim 15 allowable. Applicants submit that independent Claims 77, 83, 92, and 95 include similar subject matter to Claim 15, therefore they are allowable for the same reasons that make Claim 15 allowable. Because Claims 17, 19, 21, 23, 25, 31, 33, 35, 37, 39, 41, 43, 55, 57, 69, 71, 73, 77, 78-82, 83, 84-91, 93-95, 97, 98 and 104-107 depend from their allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable. Claims 45, 47, and 49 have been cancelled.

REJECTION OF CLAIMS 29, 45, 47, 49, 53, 59, 61, 84, 92-94, 96, 99-100 UNDER 35 U.S.C.

§ 103

The Office Action rejected Claims 29, 45, 47, 49, 53, 59, 61, 84, 92-94, 96, 99-100 as being unpatentable over Emens et al. in view of Culliss. Applicants hereby cancels Claims 45, 47, 49, and 99.

Culliss teaches a method of organizing articles by associating the key term probability scores of individual articles related to the second search query under at least some of the second matched key term components to create comparison scores for each of the respective individual

25315
CUSTOMER NUMBER

articles related to the second search query (Claim 6). Culliss does not teach or fairly disclose generating ratings of objects by comparing the values found in the object to a list of human input rating values supplied by an owner of the site. Therefore, Culliss fails to overcome the deficiencies of Emens as noted above. Because Claims 53, 61, 92-94, 96, and 100 depend from allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable.

REJECTION OF CLAIMS 63, 67, 101, 103, 108, AND 110 UNDER 35 U.S.C. § 103

The Office Action also stated Claims 63, 67, 101, 103, 108, and 110 are unpatentable over Emens in view of Cragun. Applicants respectfully traverse this rejection.

Cragun teaches a system for controlling the content displayed on the television utilizing a computer system implementing multi-dimensional control having a user friendly interface. Column 5, lines 54-58. Cragun does not teach generating a ratings flag when values found in an object indicate a first rating for the object and at least one of the values from an owner of the site or a host of the site indicates a second rating for the object different than the first rating, where the term "object" is used only to refer to anything stored on a site of interest to a person who might access the site from the network and its associated meta-data, meta-data including all information about the content of an object, but not the contents itself (page 4, lines 16-23). Applicants submit that Emens does not disclose or fairly teach wherein generating a rating comprises generating a ratings flag when the values found in the object indicate a first rating for the object and at least one of the values from an owner of the site indicates a second rating for the object different than the first rating. Cragun fails to overcome the deficiencies of Emens.

Therefore, Applicants submit that because Claims 63, 67, 101, and 103 depend on allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable. Also, because independent Claims 108 and 110 are similar to allowable Claims 51, 95, and 107, they are allowable for the same reasons that make the corresponding independent claims allowable.

REJECTION OF CLAIMS 65, 102, AND 109 UNDER 35 U.S.C. § 103

The Office Action further stated Claims 65, 102, and 109 are unpatentable over Emens in view of Bezos.

25315
CUSTOMER NUMBER

- 18 -

ARCE-I-1005ROA03

BLACK LOWE & GRAHAM PLLC

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Bezos teaches text scanning code that automatically scans the completed form for pre-specified words and phrases that may give rise to a rejection of the application, and flags the application for further (human) review when such a word is found (col.2; lines 32-38). Bezos does not teach or fairly disclose aggregating ratings, including triggering a human review indicator for review by a human of objects having rating flags to determine the correct ratings for the objects. Bezos fails to overcome the deficiencies of Emens. Because Claims 65 and 102 depend upon allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable. Applicants also submit that amended Claim 109 is allowable over the cited reference.

CONCLUSION

Applicants respectfully submit that all of the claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicants respectfully request withdrawal of the rejections, allowance, and early passage through issuance. If the examiner has any questions, the examiner is invited to contact the Applicants' agent listed below.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



Michael S. Smith
Registration No. 39,563
Direct Dial: 206.749.9888

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5/2/05
Date of Deposit


Michelle J. Carman

25315
CUSTOMER NUMBER

BLACK LOWE & GRAHAM^{PLLC}



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301